UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,342	04/27/2001	Elliott Woodard Harris	AUS920010295US1	9373

35525	7590	07/29/2004

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EXAMINER
LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *27 April 2001*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-16* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-16* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *27 April 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All   b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications. Application filed 04/27/01.

2.   Claims 1-16 are pending in the case. Claims 1, 7, and 13, are independent claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3.   **Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

In reference to independent claims 1, 7, and 13, the claim recites the phrase, *"wherein the second electronic document contains a ling description of the image in the first document"*. It is unclear to the Examiner (as presently claimed) what type of attribute is being examined and if the long description is within the first document or the second document. Furthermore, the limitation, *"wherein the subtree is adjacent to the image in the document object model"*, does not provide a proficient description of what is meant by the term adjacent and does not provide a proficient explanation as to how the subtree *presents* a renderable hyperlink. Finally, the claim recite the phrase, *" rendering at least one of the following: the image and/or the hyperlink"*. It is unclear to the Examiner if the hyperlink described in the last line of the claim is the same hyperlink described as being rendered by the subtree.

In reference to dependent claims 2-6, 8-12, and 14-16, the claims are rejected for fully incorporating the deficiencies of their respective base claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackenty et

al., USPN 6,085,161 filed (3/23/99) in view of HTML 4.01 Specification, W3C

Recommendation 24 December 1999.

In reference to independent claim 1, Mackenty teaches:

The present invention works with a browser utility, that is, an application for visually

displaying HTML documents, to present HTML documents to computer users auditorially,

instead of visually. It parses HTML documents, associates the markup and content with various

elements of an auditory display. The parser receives an HTML page and outputs a tree data

structure that represents the received HTML page (compare to *"parsing a first electronic*

document and creating a document object model"). See column 1, lines 60-67, column 4, lines

50-65.

The HTML document is read by performing a depth-first traversal of the parsed HTML

document tree. As each node of the tree is entered, the reader examines its type. If the node is an

HTML tag, then the element name, or label, of that tag is enqueued within the sonification

engine, so that it will be represented by the sound associated with that tag during initialization

(compare to *"determining if an image within the first electronic document contains an*

attribute that names a URL address for a second electronic document" ...). See column 5, lines

7-30. The reference does not explicitly state a long description; however, the HTML 4.01

Specification the utilization of the long description attribute for allowing authors to make frame

documents more accessible to people using non-visual user agents. The frames method provides

a technique for providing a long description within two frames which also includes an image. It

would have been obvious to one of ordinary skill in the art, having the teachings of Mackenty

and HTML Spec 4.01 before him at the time the invention was made, to modify the DOM taught

by Mackenty to include the long description attribute and provide for a newly formed subtree

within the DOM and allowing for the sonification engine to perform a tag initialization.

In reference to dependent claim 2, 4, Mackenty teaches:

The device instructs the sonification engine to produce, alter or halt sound data when

encountering an HTML tag depending on the type of HTML tag. See column 4, lines 25-30. The

reference does not explicitly state a long description; however, the HTML 4.01 Specification the

utilization of the long description attribute for allowing authors to make frame documents more

accessible to people using non-visual user agents. The frames method provides a technique for

providing a long description within two frames which also includes an image. It would have been

obvious to one of ordinary skill in the art, having the teachings of Mackenty and HTML Spec

4.01 before him at the time the invention was made, to modify the DOM taught by Mackenty to

include the long description attribute and provide for a newly formed subtree within the DOM

and allowing for the sonification engine to perform a tag initialization.

In reference to dependent claim 3, 5, MacKenty teaches:

Once connected, the sonification engine's initialization function is invoked, which causes the

engine to allocate the resources it requires to perform its functions. This usually consists of the

allocation of an audio output device and, in some embodiments, an audio mixer. See column 3, lines 60-67. The reference does not explicitly state a long description; however, the HTML 4.01 Specification the utilization of the long description attribute for allowing authors to make frame documents more accessible to people using non-visual user agents. The frames method provides a technique for providing a long description within two frames which also includes an image. It would have been obvious to one of ordinary skill in the art, having the teachings of Mackenty and HTML Spec 4.01 before him at the time the invention was made, to modify the DOM taught by Mackenty to include the long description attribute and provide for a newly formed subtree within the DOM and allowing for the sonification engine to perform a tag initialization.

In reference to dependent claim 6, MacKenty teaches:

Each marker contains a unique identifier, which is associated with the position of the .enqueue cursor at the time that marker was enqueued. As the synthesizer reads the text enqueued in it, it notifies the Reader as it encounters the markers enqueued along with the text. See column 6, lines 1-19.

In reference to claims 7-12, the limitations reflect the system comprising computer readable instructions used for performing the methods as claimed in 1-6, respectively, and in further view of the following, is rejected along the same rationale.

In reference to claims 13-16, the limitations reflect the system used for performing the methods as claimed in 1-6, and in further view of the following, is rejected along the same rationale.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jennings   USPN 6,717,593   filed (9/12/00)

Brown et al.,   USPN 6,587,822   filed (10/6/98)

HTML 4.01 Specification, W3C Recommendation 24 December 1999, Dave Ragget, pages 1-15.

Frames in HTML Documents, W3C Recommendation 24 December 1999, Dave Ragget, pages 1-15.

Jane Berliss, Designing World Wide Web Pages For Maximum Accessibility, November 22, 1997, pages 1-6.

SPUSC Monash 2000, 'See me, Hear me, Touch me', Access and Equity on the Web, pages 1-18.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043. The examiner can normally be reached on 8:00am-5:00pm.
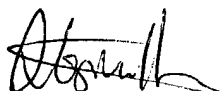
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
July 21, 2004

STEPHEN S. HONG
PRIMARY EXAMINER